

City Council Introduction: **Monday**, September 9, 2002
Public Hearing: **Monday**, September 16, 2002, at **1:30 p.m.**

Bill No. 02-134

FACTSHEET

TITLE: Ordinance for **AUTHORITY TO PURCHASE (Comprehensive Plan Conformance No. 02006)**, requested by the Director of Planning, for authority to purchase approximately 30.84 acres generally located at U.S. Highway 77, S.W. 12th Street and West South Street.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan

ASSOCIATED REQUESTS: Annexation No. 02005 (02-133); and Comprehensive Plan Conformance No. 02007 - Ordinance to Declare Surplus Property (02-135).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 8/21/02
Administrative Action: 8/21/02

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Carlson, Duvall, Krieser, Larson, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Newman absent).

FINDINGS OF FACT:

1. This request for authority to purchase and the associated annexation and request for declaration of surplus property were heard at the same time before the Planning Commission.
2. The Planning staff recommendation is based upon the "Analysis" as set forth on p.4, concluding that granting the authority to purchase and declaring the identified area as surplus property is in conformance with the Comprehensive Plan.
3. On August 21, 2002, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. The Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposed purchase of property to be in conformance with the Comprehensive Plan.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 3, 2002

REVIEWED BY: _____

DATE: September 3, 2002

REFERENCE NUMBER: FS\CC\2002\CPC.02006

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: **Comprehensive Plan Conformance #02006**

Date: August 7, 2002

Authority to Purchase

Comprehensive Plan Conformance #02007

Declaration of Surplus Property

This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROPOSAL: Finding that the authority to purchase and declaration of surplus property for a tract of land located within Lot 207 I.T. is in conformance with the Comprehensive Plan.

LAND AREA: Approximately 30.84 acres.

CONCLUSION: Granting the authority to purchase and declaring the identified area as surplus property is in conformance with the Comprehensive Plan.

<u>RECOMMENDATION:</u> Find that these requests are in conformance with the Comprehensive Plan.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: A tract of land located in Lot 207 I.T., Section 34, Township 10 North, Range 6 East, Lancaster County, Nebraska

LOCATION: U.S. Highway 77 and West South St.

APPLICANT: Michael V. DeKalb, Interim Planning Director
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508
(402) 441-7491

CONTACT: Tom Cajka
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508
(402) 441-6362

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: Agriculture

SURROUNDING LAND USE AND ZONING:

North/Northeast	R-3 Residential	Mobile Home Court and multi-family residential
South/Southeast	P Public & I-1 Industrial	Vacant, railroad right-of-way and cemetery
East:	P Public & I-1 Industrial	Vacant and railroad right-of-way
West:	R-3 Residential	Residential dwellings

ASSOCIATED APPLICATIONS: Annexation #02005

HISTORY: Vestecka's Villa Van Dorn Addition final plat was approved **July 20, 1998**.

A strip of land approximately 150' x 1,280' abutting the east side of S.W. 12th Street was annexed **July 20, 1978** by Ordinance #12332.

Village Manor Estates final plat was approved **August 9, 1976**.

Coddington West final plat was approved **May 7, 1973**.

The subject property was changed from A-2 Single Family Dwelling District to R-3 Residential District in the 1979 Zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

1. The Land Use Plan designates this area as Urban Residential.

2. The Community Form chapter of the 2025 Comprehensive Plan states:

Home ownership is the foundation which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. (F-20)

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. (F-20)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.(F-20)

3. The Residential chapter of the 2025 Comprehensive Plan states under Overall Guiding Principles the following:

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. (F-73)

One of Lincoln's most valuable community assets is the supply of good, safe, and decent single family homes that are available at very affordable costs when compared to many other communities across the country. (F-73)

Housing affordability is not merely important for the community, it is imperative. Lack of affordable housing directly impacts citizen's assets and opportunities, which in turn shape the community's assets and opportunities. (F-74)

UTILITIES: This area is inside the future service limit line shown in the Comprehensive Plan. There is existing water on S.W. 12th St. and sanitary sewer adjacent the railroad right-of-way.

ANALYSIS:

1. This request is in association with Annexation #02005.
2. The entire area identified as surplus is vacant land.
3. The Interim Planning Director is requesting the authority to purchase and declaration of surplus property to assist Housing Resources, Inc. in acquiring this property.
4. The property is currently owned by the State of Nebraska.
5. The City of Lincoln's Urban Development Department is in part using Community Development Block Grant funds to assist Nebraska Housing Resources, Inc. in the purchase of this property.
6. Nebraska Housing Resources, Inc. is proposing a subdivision on this property to provide affordable housing.
7. An Administrative Final Plat has been submitted by Nebraska Housing Resources, Inc. to plat 15 lots adjacent S.W. 12th Street.
8. Utilities are available to serve this area.
9. The City of Lincoln is acting as a pass-through mechanism to transfer the land from the State of Nebraska to Nebraska Housing Resources, Inc.

Prepared by:

Tom Cajka
Planner

COMPREHENSIVE PLAN CONFORMANCE NO. 02006

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

August 21, 2002

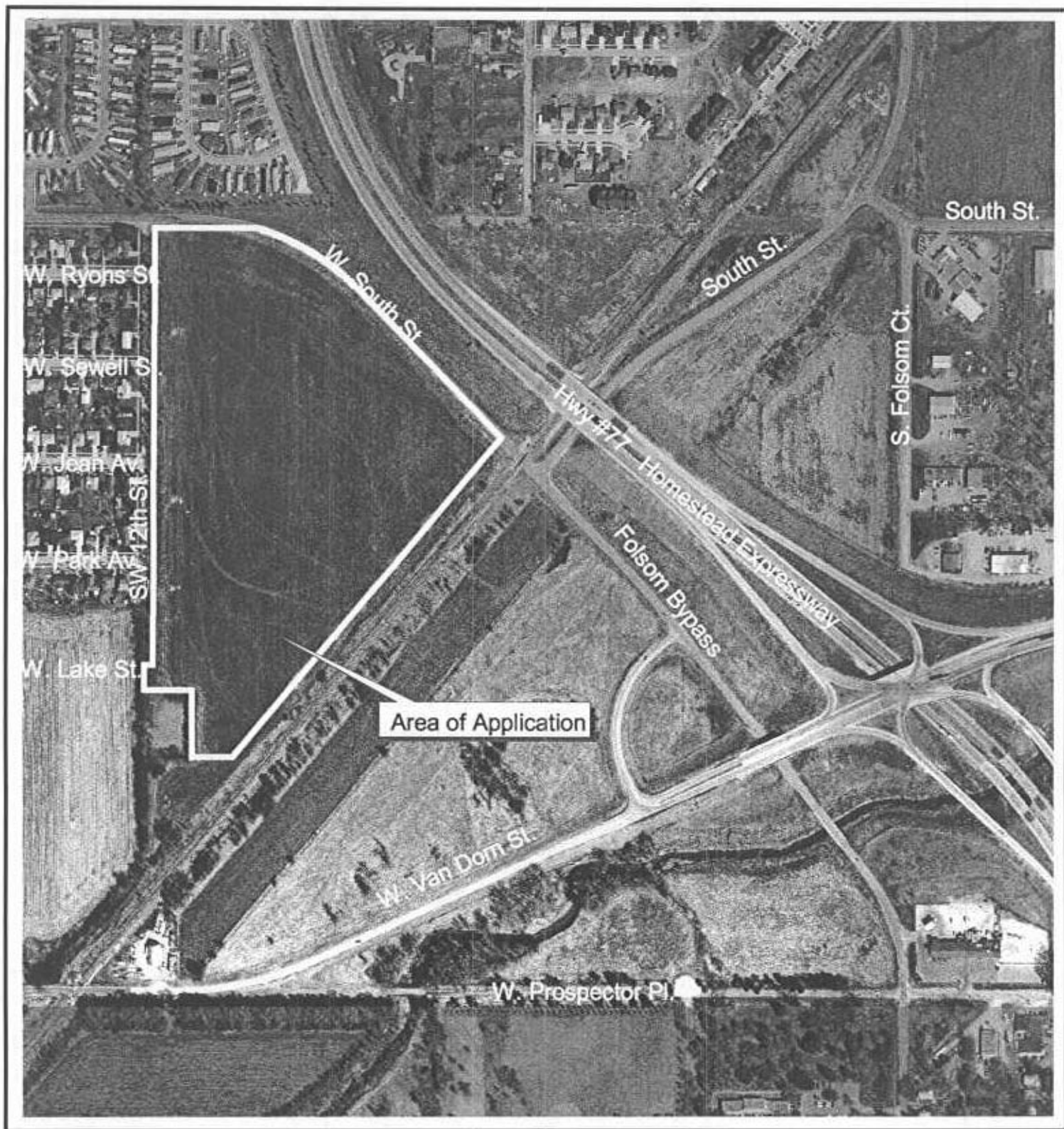
Members present: Carlson, Duvall, Krieser, Larson, Schwinn, Steward, Bills-Strand and Taylor; Newman absent.

The Consent Agenda consisted of the following items: **COUNTY CHANGE OF ZONE NO. 208; SPECIAL PERMIT NO. 1983; FINAL PLAT NO. 02016, TABITHA NEW COMMUNITY 4TH ADDITION; FINAL PLAT NO. 02022, ASHLEY HEIGHTS 1ST ADDITION; ANNEXATION NO. 02005; COMPREHENSIVE PLAN CONFORMANCE NO. 02006; COMPREHENSIVE PLAN CONFORMANCE NO. 02007; COMPREHENSIVE PLAN CONFORMANCE NO. 02005; WAIVER OF DESIGN STANDARDS NO. 02015 and MISCELLANEOUS NO. 02004.**

Item No. 1.6, Comprehensive Plan Conformance No. 02005, was removed from the Consent Agenda and scheduled for separate public hearing at the request of Commissioner Steward.

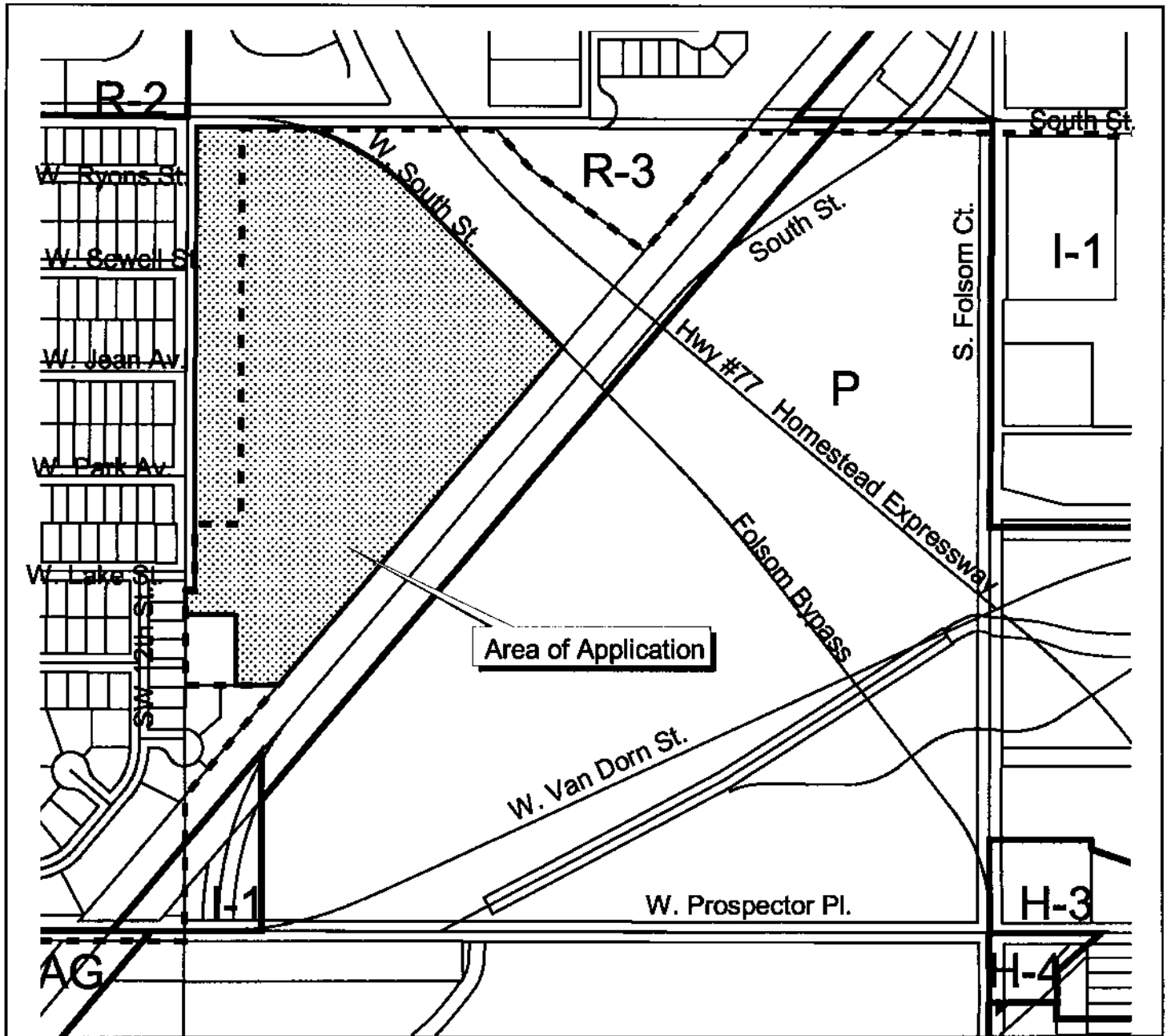
Steward moved to approve the remaining Consent Agenda, seconded by Krieser and carried 8-0: Carlson, Duvall, Krieser, Larson, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Newman absent.

Note: This is final action on Special Permit No. 1983; Tabitha New Community 4th Addition Final Plat No. 02016; Ashley Heights 1st Addition Final Plat No. 02022; Comprehensive Plan Conformance No. 02005; and Miscellaneous No. 02004, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the action by the Planning Commission.



Comp. Plan Conformance #02006
 Comp. Plan Conformance #02007
 SW 12th , South St & Hwy 77



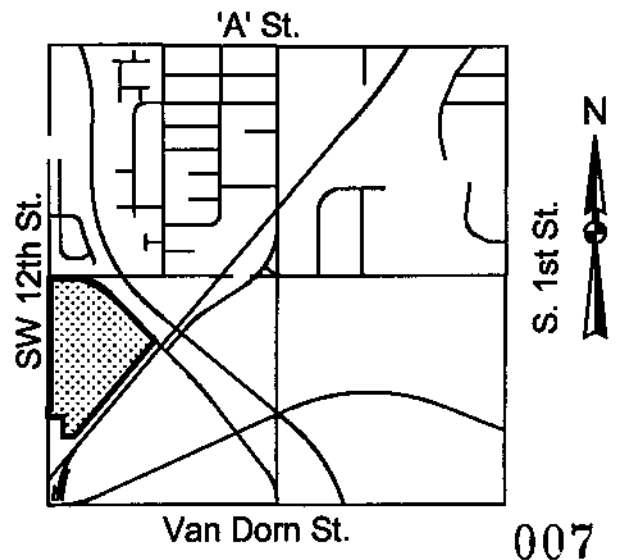
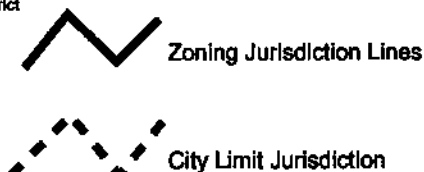


Comp. Plan Conformance #02006
Comp. Plan Conformance #02007
SW 12th , South St & Hwy 77

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 34 T10N R6E



007

per State Survey
3-17-02
for proposed center

A tract of land located in Lot 207 of Irregular tracts in the Southwest Quarter of Section 34, Township 10 North, Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska, described as follows:

Referring to the Northwest corner of said Lot 207; thence southerly a distance of 10.00 feet to a point on the southerly relocated West South Street right of way line to the point of beginning; thence easterly deflecting 090 degrees, 00 minutes, 00 seconds left, a distance of 135.42 feet along said West South Street right of way line; thence easterly on a 768.51 foot radius curve to the right, deflection to the initial tangent being 000 degrees, 00 minutes, 00 seconds, a distance of 608.85 feet, subtending a central angle of 045 degrees, 23 minutes, 32 seconds along said right of way line; thence southeasterly deflecting 000 degrees, 00 minutes, 00 seconds, a distance of 725.67 feet along said right of way line to a point on the northerly Burlington Railroad right of way line; thence southwesterly deflecting 085 degrees, 43 minutes, 53 seconds, a distance of 1386.96 feet along said railroad right of way line; thence westerly deflecting 048 degrees, 09 minutes, 15 seconds right, a distance of 143.74 feet; thence northerly deflecting 090 degrees, 37 minutes, 20 seconds right, a distance of 232.79 feet; thence westerly deflecting 091 degrees, 33 minutes, 57 seconds left, a distance of 167.06 feet to a point on the west line of said Quarter Section; thence northerly deflecting 091 degrees, 44 minutes, 01 seconds right, a distance of 82.21 feet along said line; thence easterly deflecting 090 degrees, 00 minutes, 00 seconds right, a distance of 30.00 feet to a point on the easterly Southwest 12th Street right of way line; thence northerly deflecting 090 degree, 00 minutes, 00 seconds, a distance of 1493.55 feet along said Southwest 12th Street right of way line to the point of beginning, containing 30.84 acres, more or less.

I N T E R
O F F I C E

MEMO

To: Director of Planning Department
From: Steve Werthmann, Housing Rehab & Real Estate Manager, Urban Development
Subject: Declaration of Surplus Property
Date: July 23, 2002

Please place on the next Planning Commission agenda a request to declare surplus I.T. Lot 207 located in SW Quarter of Section 34-10-6 as noted on the attached map.

This property is owned by the State Department of Roads and they desire to surplus and sell it to another governmental entity to fulfill their goal of affordable housing. The City intends to immediately sell the land to Nebraska Housing Resources, Inc., a non-profit home builder, to also fulfill the City of Lincoln's goal of affordable housing.

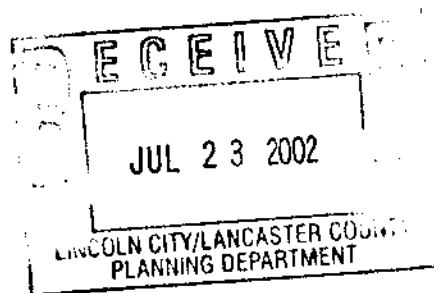
The request for surplus is for the purpose of affordable housing and is in compliance with the 2025 Comprehensive Plan which states: *Home ownership is the foundation upon which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. The plan should recognize the impact of policies and programs on community housing costs. Affordable housing should be distributed throughout the region ... to provide housing choices within every neighborhood (F 20).*

Housing opportunities- *Housing diversity should be accommodated in a variety of locations throughout the community. (F 11).*

We will request responses from other City Departments in accordance with the surplus property disposition procedures.

Please contact me at 441-8621 if you have any questions.

Attachments



M e m o r a n d u m

To: Tom Cajka, Planning

From: Dennis Bartels, Public Works and Utilities

Subject: Old Mill Village - Annexation, Surplus Property Declaration, Administrative Final Plat #02032, Misc #02006 and CPC #02006

Date: August 6, 2002

cc: Randy Hoskins
Nicole Flock-Tooze
Steve Werthmann

Engineering Services has reviewed Old Mill Village located south of South Street west of Southwest 12th Street and has the following comments:

1. Water - The existing water main in Southwest 12th Street is adequate to serve this plat.
2. Sanitary Sewer - A sanitary sewer needs to be built in Southwest 12th Street to serve lots in this plat.

If the remainder of the property is annexed, it may be necessary for the sanitary sewer to be built across it to serve Vestecka Villa Van Dorn. This is my interpretation of the annexation agreement entered into between John Vestecka and the City of Lincoln and should be verified by the City Attorney's Office.

The sanitary sewer by design standards should be built on the west side of Southwest 12th Street. There are existing developed lots along the west side of Southwest 12th Street. EDC has requested that we consider building the sewer along the east right-of-way line of Southwest 12th and plat an easement east of the property line. This easement is not shown. It is noted however that there are mature trees along the east side of Southwest 12th Street. the sewer construction may destroy these trees. Engineering Services requests more information about these trees and a recommendation from Planning whether or not they should be removed.

The estimated cost of constructing the required sanitary sewer to serve this plat is \$59,300.00.

An easement for the existing sewer through Outlot A must be shown on the plat.

3. Street and Sidewalks - Street paving exists in Southwest 12th Street.

Sidewalk is required along Southwest 12th Street and along South Folsom. The estimated cost of sidewalks along the platted lots of Southwest 12th is \$13,000.00. The estimated cost of sidewalks along South Folsom and the remaining portions of Outlot A is \$24,300.00.

4. Drainage - No new drainage facilities are required with this plat.
5. The annexation of this property and the surplus property designation are satisfactory to Public Works.
6. This review does not include comments about the concept plans for the future lots.



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

To: Tom Cajka <TCajka@ci.lincoln.ne.us>
cc:
Subject: Old Mill Village

07/31/2002 02:43 PM

Mr. Cajka,

The Lincoln Police Department has no objections to the Old Mill Village CPC 02066, MISC 2006 and ANNEX 02005.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department



John Huff

07/31/2002 10:25
AM

To: Thomas J Cajka/Notes@Notes
cc: John Huff/Notes@Notes
Subject: Old Mill village

Tom,

I have reviewed the proposed annexation 02005, CPC 02006, and misc 02006 (all related to the old mill project) for the department, and do not have any objections as it is proposed.

If you have any questions, feel free to contact me.

John C. Huff
Deputy Chief Administrative Services
Lincoln Fire & Rescue
1801 Q Street
Lincoln Ne. 68528
Office 402-441-8351
Fax 402-441-8292

Memo



To: Tom Cajka, Planning Department

From: Mark Canney, Parks & Recreation

Date: July 29, 2002

Re: Old Mill Village Annex #02005, CPC 02006, MISC. 02006

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have no comments.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.